
STATUTORY INSTRUMENTS

2001 No. 2237

The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (England) Order 2001

Performance of sewerage undertaker's functions by local authorities etc.

27. In section 97 of the Water Industry Act 1991 (performance of sewerage undertaker's functions by local authorities etc.)—

(a) after subsection (4), there shall be inserted—

“(4A) Where arrangements entered into for the purposes of this section provide for a local authority which are operating executive arrangements to carry out the sewerage functions of a sewerage undertaker on that undertaker's behalf—

(a) those sewerage functions shall be treated as functions of the authority for the purposes of section 13 of the Local Government Act 2000; and

(b) if or to the extent that those sewerage functions are the responsibility of the executive of that authority—

(i) subsection (4) above shall not apply; and

(ii) sections 14 to 16 of the Local Government Act 2000 and any regulations made under sections 17 to 20 of that Act shall apply in relation to those sewerage functions only in so far as the arrangements do not provide otherwise.”; and

(b) in subsection (5), before the definition of “new town” there shall be inserted—

““executive” and “executive arrangements” have the same meaning as in Part II of the Local Government Act 2000;”.